

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION CORPORATION,  Plaintiff, v. BERNARD L. MADOFF INVESTMENT SECURITIES LLC,  Defendants.
In re MADOFF SECURITIES
PERTAINS TO THE FOLLOWING CASE:
IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC,  Plaintiff, v. HARVEY E. ROTHENBERG REVOCABLE TRUST UAD 7/24/02, HARVEY E. ROTHENBERG as trustee and beneficiary, BETTY KLEIN  Defendants.

12 Misc. 115 (JSR)

12 Civ. 05717 (JSR)

Adv. Pro. No. 10-05072 (BRL)

**AFFIDAVIT OF LAURA CAMPBELL OF DONLIN, RECANO & COMPANY, INC.  
IN SUPPORT OF TRUSTEE'S MEMORANDUM OF LAW IN OPPOSITION TO  
DEFENDANT BETTY KLEIN'S APPLICATION FOR AN ORDER  
ALLOWING DISTRICT COURT'S CONSIDERATION OF  
MOTION SEEKING WITHDRAWAL OF THE REFERENCE**

STATE OF NEW YORK     )  
                                      )     ss:  
COUNTY OF NEW YORK    )

I, Laura Campbell, declare:

1. I am over the age of 18 years and not a party to these chapter 11 cases.

2. I am employed by Donlin, Recano & Company, Inc. ("Donlin Recano"), 419 Park Avenue South, Suite 1206, New York, NY 10016. I am a Senior Case Manager at Donlin Recano and my duties include, *inter alia*, (i) supervising the service of documents by electronic mail and (ii) verifying that Donlin Recano's internal procedures are followed in connection with service of documents by electronic mail.
3. Donlin Recano is one of the country's leading bankruptcy mega case administrators, with experience in noticing, claims administration and facilitating other administrative aspects of Court proceedings. Donlin Recano has provided administrative services, during the past 10 years, in the Southern District of New York and elsewhere, in over 90 cases. Based on this extensive expertise and experience, Donlin Recano was retained by the Trustee to, among other things, provide services necessary for filing and tracking of numerous adversary proceedings and pleadings.
4. Donlin Recano routinely serves pleadings, orders and other documents by electronic mail, and has procedures in place to verify that electronic copies of documents, sent via e-mail service have been effectuated and not returned as undeliverable. Donlin Recano confirms that e-mail address domain names are not case sensitive, that capitalization or the lack thereof has no bearing on the deliverability of an e-mail to a given e-mail domain, and did not affect delivery of the three e-mails set forth in paragraph "5" below. The procedures are divided into the following three groups according to function:

- i. Procedures to verify that e-mail was sent:

The e-mail recipients list is analyzed for any malformed e-mail address. The recipients list is de-duplicated based on the e-mail address, thus creating a service list of each unique e-mail address.

Upon completion of the e-mail service, a report is generated and reviewed for completeness. Logs are maintained for each e-mail showing the following transition states of:

- a. 'Sending', which initiates the transmission process;
- b. 'Attaching', which adds any and all attachments to e-mail;
- c. 'Queued', which indicates the e-mail has been placed on the outgoing queue; and
- d. 'Sent', which confirms that the process of sending is complete.

- ii. Procedures to verify e-mail was not returned undeliverable:

Donlin Recano maintains a separate e-mail account for noticing purposes. The inbox associated with this account is monitored, to check for undeliverable e-mail services. On a daily basis, a list of undeliverable e-mails is created. The list includes the e-mail address and the reason why transmission was not completed.

- iii. Procedures to notify client if e-mail was returned undeliverable:

Once the list of undeliverable e-mails is created, the list is provided to



counsel to the Trustee. Depending on the instructions received from counsel, Donlin Recano performs supplemental service via e-mail transmission or hard copy via U.S.P.S first class service.

5. I followed these procedures when I supervised the electronic service by e-mail of the following documents, and can confirm that each document was transmitted to the e-mail address of cas@CharlesASinger.com and the e-mail service logs for the three services listed below indicate that all e-mails were "Sent."
  - i. "Trustee's Motion For Entry of an Order Establishing Notice Procedures" (Docket No. 4469) on 21<sup>st</sup> day of October, 2011 via e-mail at cas@CharlesASinger.com. Attached hereto as Exhibit 1 is a true and correct copy of the affidavit of service as filed by Donlin Recano. *See* Affidavit of Service, *In re Madoff Sec.*, Adv. Pro. No. 08-01789 (Bank. S.D.N.Y. Oct. 21, 2011), ECF No. 4479.
  - ii. "Order Establishing Notice Procedures and Limiting Notice" (Docket No. 4560, the "Notice Procedures Order") on the 6<sup>th</sup> day of December, 2011 via e-mail at cas@CharlesASinger.com. Attached hereto as Exhibit 2 is a true and correct copy of the affidavit of service as filed by Donlin Recano. *See* Affidavit of Service, *In re Madoff Sec.*, Adv. Pro. No. 08-01789 (Bank. S.D.N.Y. Dec. 6, 2011), ECF No. 4663.
  - iii. "Administrative Order Establishing Deadline for Filing Motions to Withdraw The Reference" (Docket No. 4707) on the 6<sup>th</sup> day of March, 2012 via e-mail at cas@CharlesASinger.com. Attached hereto as Exhibit 3 is a true and correct copy of the affidavit of service as filed by Donlin Recano. *See* Affidavit of Service, *In re Madoff Sec.*, Adv. Pro. No. 08-01789 (Bank. S.D.N.Y. Mar. 6, 2012), ECF No. 4714.
6. I followed these procedures and can confirm that none of the e-mails sent to cas@CharlesASinger.com have been returned as undeliverable, as of this date, in connection with the foregoing services.
7. I verified proper service of the documents prior to filing the corresponding affidavit of service for each e-mail service, in accordance with normal operating procedure. I confirm that the three e-mail services above were sent to the e-mail address cas@CharlesASinger.com as reflected in the relevant exhibits of the relevant affidavits of service.
8. Donlin Recano coordinates the service of court filings pursuant to the Notice Procedures Order with Baker & Hostetler LLP. As a matter of practice and consistent with Donlin Recano's course of conduct throughout the Madoff liquidation proceedings, Donlin Recano regularly serves court filings in accordance with the Notice Procedures Order by serving such filings on all relevant parties entitled to receive notice in connection with the "Adversary Proceedings" as defined in Notice Procedures Order. Baker & Hostetler serves court filings on the parties to the "Master Service List" as defined in the Notice Procedures Order. I followed this course of

conduct and can confirm that this common practice was followed when the Trustee served the documents set forth in paragraph "5" above.

9. I declare under penalty of perjury that the foregoing is true and correct to the best of my personal knowledge. Executed this 18th day of September, 2012 at New York, New York.

  
Laura Campbell

Sworn before me this  
18th day of September, 2012

  
Notary Public

